



conducted a hearing pursuant to *Spears v. McCotter*, 766 F.2d 179, 181-82 (5th Cir. 1985), on September 16, 2010. Plaintiff appeared at the hearing and testified under oath.

The Defendants filed an Answer and Jury Demand on February 14, 2011.

The Magistrate Judge filed a Report and Recommendation on July 7, 2011, and Plaintiff filed a response, which suggested that several factual corrections be made to the Report and Recommendation.

This Court has made an independent examination of the pleadings and the record in this case and finds that the Magistrate Judge's Report and Recommendation should be ADOPTED.

It is, therefore, **ORDERED** that pursuant to Fed. R. Civ. P. 16(b), the Court establishes the following schedule:

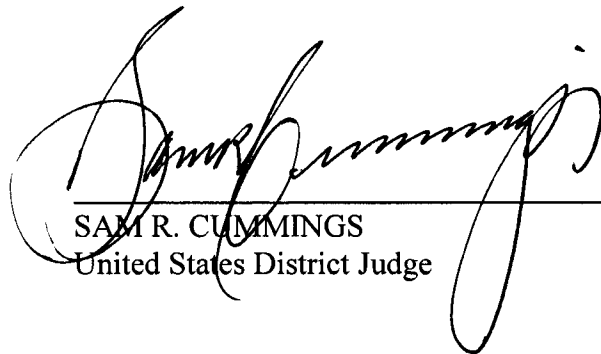
- (1) All motions to join other parties and amend the pleadings must be filed by 3:00 p.m. on September 28, 2012.
- (2) All other pretrial motions, including motions for summary judgment, must be filed, with supporting briefs, by 3:00 p.m. on October 26, 2012, and any response must be filed by 3:00 p.m. on November 26, 2012.
- (3) All discovery must be completed by 3:00 p.m. on September 28, 2012, as follows:
  - (a) Defendant(s) shall disclose to Plaintiff all records of the incidents forming the basis of Plaintiff's complaint, which records shall include, but shall not be limited to the following:
    - (i) Plaintiff's medical records pertaining to the incidents made the basis of Plaintiff's complaint, which medical records shall include Plaintiff's records from any TDCJ unit at which he received medical examinations or treatment pertaining to Plaintiff's claims.
    - (ii) Plaintiff's grievances filed for the six-month period surrounding the incident date(s).

- (b) All parties shall disclose the following:
- (i) The name and, if known, the address or employment station of each person likely to have information that bears significantly on any claim or defense.
  - (ii) As to each person named in response to paragraph (3)(b)(i) above, a brief summary of the substance of the information known by the person.

**There shall be no further discovery without leave of the Court.**

- (4) All parties will be notified by separate order of the date of trial and the date for filing the proposed pretrial order.
- (5) Counsel and unrepresented parties are referred to the Local Rules of the Northern District of Texas, the Civil Justice Cost and Delay Reduction Plan of the Northern District of Texas, and the Local Rules of this Court.

DATED June 29, 2012.



SAM R. CUMMINGS  
United States District Judge